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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/885,945	06/22/2001	Sanae Okuyama	SON - 2132	6219

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EXAMINER

MILIA, MARK R

ART UNIT	PAPER NUMBER
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2622

DATE MAILED: 05/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/885,945	OKUYAMA ET AL.	
	Examiner	Art Unit	
	Mark R. Milia	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/20/03</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: On page 7, second to last line reads "enter button 34", but in Fig. 2, reference character "34" is labeled "decide". Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-7 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S.

Patent No. 6835135 to Silverbrook et al.

Regarding claim 1, Silverbrook discloses a card making device for making character cards wherein said card making device is comprised of the following means: character data storage means for storing data character data consisting of data on said character appearing game (see column 2 lines 58-60 and column 4 lines 13-18,

reference states that character data is stored on DVD game discs, CD-ROMs, or other conventional memory cartridges, also the print module contains a memory for video game functions), character data extraction means for extracting said specified character data from said character data storage the means (see column 3 line 61-column 4 line 7), character layout information input means for inputting card layout information specifying the card layout, said card layout here indicating a card layout for said character shown in said character data extracted by said character data extraction means (see column 4 lines 1-7), card display image information generation means for generating card display image information showing a card display image where said character is positioned (see Fig. 11 (50), column 2 lines 53-55, reference shows a video out source for displaying images), said character here indicating a character shown in said character data extracted by said character data extraction means according to said layout information input by said card layout information input means (see column 3 line 61-column 4 line 7), and card display image information output means for outputting card display image information generated by the card display image information generation means to a printer (see Figs. 1 and 11, column 2 lines 35-40, column 3 lines 38-42, and column 3 line 61-column 4 line 7).

Regarding claims 6 and 7, Silverbrook discloses a card making method and recording medium stored with a program implemented by computer, comprising: storing character data consisting of data on said character appearing in the game (see column 2 lines 58-60 and column 4 lines 13-18), extracting said specified character data (see column 3 line 61-column 4 line 7), inputting card layout information specifying the card

layout for said character shown in said extracted character layout for said character data (see column 4 lines 1-7), generating card display image information showing the card display image placed with said character shown in said extracted character data, according to said input card layout information (see Fig. 11 (50) and column 2 lines 53-55), and outputting said generated card display image information to a printer (see Figs. 1 and 11, column 2 lines 35-40, column 3 lines 38-42, and column 3 line 61-column 4 line 7).

Regarding claim 2, Silverbrook discloses the system discussed in claim 1, and further discloses wherein said character data extraction means extracts said specified character data from said character data storage means when specified conditions in said game are fulfilled (see column 3 lines 61-67).

Regarding claim 3, Silverbrook discloses the system discussed in claim 1, and further discloses wherein said device further comprises a character selection means for selecting said character for said card making, and said character data of said character selected by said character selection means is extracted by said character data extraction means (see column 3 line 61-column 4 line 7).

Regarding claim 4, Silverbrook discloses the system discussed in claim 1, and further discloses wherein said character data is comprised of said character special feature information showing image information for said character and special features of said character (see column 4 lines 1-7).

Regarding claim 5, Silverbrook discloses the system discussed in claim 4, and further discloses wherein said character layout information is information specifying card

layout information items showing features of said character shown in said character special feature information and in the card layout of the image shown in image information on said character (see column 3 line 61-column 4 line 7).

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. To further show state of the art refer to U.S. Patent numbers 5649216 (Sieber), 6283858 (Hayes Jr. et al.), 5617528 (Stechmann et al.), 6336865 (Kinjo), 6632250 (Lynch et al.), and 5410642 (Hakamatsuka et al.).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark R. Milia whose telephone number is (571) 272-7408. The examiner can normally be reached M-F 8:00am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached at (571) 272-7402. The fax number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mark R. Milia
Examiner
Art Unit 2622

MRM

JOSEPH R. POKRZYWA
PRIMARY EXAMINER
ART UNIT 2622

A handwritten signature in cursive script, reading "Joseph R. Pokrzywa".